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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application Number | 10/782,920 |
| | | Filing Date | February 23, 2004 |
| | | First Named Inventor | Akihiro DAIKOKU |
| | | Art Unit | 2873 |
| | | Examiner Name | A. Harrington |
| Total Number of Pages in This Submission | 3 | Attorney Docket Number | 514242000300 |

ENCLOSURES (Check all that apply)

| | | |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input checked="" type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <div>Remarks</div> | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|-------------------------|----------|--------|
| Firm Name | MORRISON & FOERSTER LLP | | |
| Signature | | | |
| Printed name | Deborah S. Gladstein | | |
| Date | July 11, 2006 | Reg. No. | 43,636 |



Docket No.: 514242000300
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Akihiro DAIKOKU

Allowed: April 11, 2006

Application No.: 10/782,920

Confirmation No.: 7541

Filed: February 23, 2004

Art Unit: 2873

For: OPTICAL PICKUP LENS COMPRISING
A LENS AND A LENS HOLDER WHICH
HAVE MARKS TO EASILY MOUNT
THE LENS ON THE LENS HOLDER AT
A PREDETERMINED ANGLE IN THE
DIRECTION OF ROTATION OF THE
LENS, AND OPTICAL PICKUP UNIT
COMPRISING THE OPTICAL PICKUP
LENS (as amended)

Examiner: Alicia M. Harrington

**COMMENTS ON STATEMENT OF REASONS
FOR ALLOWANCE UNDER 37 CFR §1.104(e)**

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant has received the Examiner's Statement of Reasons for Allowance with the April 11, 2006 Notices of Allowance and Allowability regarding the above-identified application. Entry of the Statement into the record should not be construed as any agreement with or acquiescence in the reasoning stated by the Examiner. Each of the claims stands on its own merits and is patentable because of the combination it recites and not because of the presence or absence of any one particular element.


Furthermore, Applicant submits that the Examiner has mischaracterized that which is recited in claim 1.

The Examiner states that Sakurai, U.S. Patent No. 6,089,761 fails to disclose "an optical pick up lens comprising a lens and a lens holder wherein each of the lens and the lens holder has at least eight marks are [sic] provided on positions of the periphery of the lens or on positions of the lens holder which are adjacent to the periphery of the lens as claimed in claim 1." However, claim 1 actually recites "[A]n optical pickup lens comprising a lens and a lens holder, wherein each of the lens and the lens holder has at least one mark in a direction of rotation based on an optical axis of the lens as a center of rotation, wherein at least eight marks are provided on positions of the periphery of the lens or on positions of the lens holder which are adjacent to the periphery of the lens," which is neither taught nor suggested by the cited art.

Thus, since the Examiner's Statement was not prepared by Applicant and only contains the Examiner's possible positions in one or more reasons for allowability, any interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to the Applicant.

Dated: July 11, 2006

Respectfully submitted,

By 
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